

REMARKS

In accordance with 37 C.F.R. §1.121 (as amended on 11/7/2000) the rewritten claim(s) above are shown on separate page(s), in the attached Appendix, marked up to show all the changes relative to the previous version of that claim(s).

Reference is made to U. S. Application Serial No. 08/800,591 filed 2/18/97 which is mentioned in the Information Disclosure Statement filed in this Application on 8/24/98. The '591 application also describes a hand held communication device with a replaceable cover. The loose keypad of this invention, which is held in place by the cover, is not disclosed in the '591 Application, although such an arrangement is not intended to be excluded from the broad coverage of that Application. New claims 18-24 correspond in most respects to allowable claims in the '591 Application with the addition of the loose keypad feature. New claims 17-24 are fully supported by the Specification and drawings of the present Application.

A Supplemental Information Disclosure Statement accompanies this Preliminary Amendment. It cites any prior art made of record in the '591 Application which is not already of record in the present Application.

Claim 12 has been amended to correct its dependency. This is believed to moot the rejection under 35 U.S.C.112, second paragraph, in the final Office Action dated 12/05/00.

In the final Office Action dated 12/05/00 the Examiner rejected claims 1-9, 11-12, 15-16 under 35 U.S.C.102(b) as being anticipated by US 5,357,570 to Tomura et al.

Contrary to the Examiner's assertion, Tomura does not disclose nor remotely suggest a retaining means that holds the electronic components of the radiotelephone to the lower housing when the upper housing is released from attachment with the lower

housing. In the radiotelephone of Tomura the screws 30 hold the bottom housing 2b to the top cover 2a with the electronic components 18 and key pad 28 sandwiched therebetween. Therefore when the top cover 2a is released by unscrewing the screws 30 the electronic components 18 are loose and not held to the housing 2b as in accordance with applicants' invention. Therefore Tomura does not anticipate the invention of these claims.

In the final Office Action dated 12/05/00 the Examiner rejected claim 13 as being unpatentable under 35 U.S.C.103(a) over Tomura in view of Takagi et al. Takagi in no way corrects the deficiencies of Tomura as described above. Tomura taken alone or in combination with Takagi do not teach or suggest a radiotelephone including a retaining means that holds the electronic components of the radiotelephone to the lower housing when the upper housing is released from attachment with the lower housing. Therefore they do not render obvious the invention of this claim.

US 5,982,881 to Mischenko is cited in the attached Information Disclosure Statement filed of even date herewith. It does not disclose the second housing of this invention which is releasably attachable to the first housing to meet with the first housing around the periphery of the radiotelephone. The phone housing 102 includes a recessed portion 134 for receiving a faceplate. Faceplate 104 is merely a faceplate that fits into recessed portion 134 defined by a perimeter 136 in the housing 102.

Certain claims now require that the cover can be attached or detached by a user without employing a tool. This limitation clearly distinguishes those claims from prior art approaches for replacement of non-planar mobile phone covers, since those approaches generally require a trained technician or at least the use of a tool such as, for example, a screw driver. In many cases very specialized tools are required. For example, consider column 2 lines 38-47 and column 6 line 33 through column 7, line 2 of U.S. Patent No. 5,982,881.

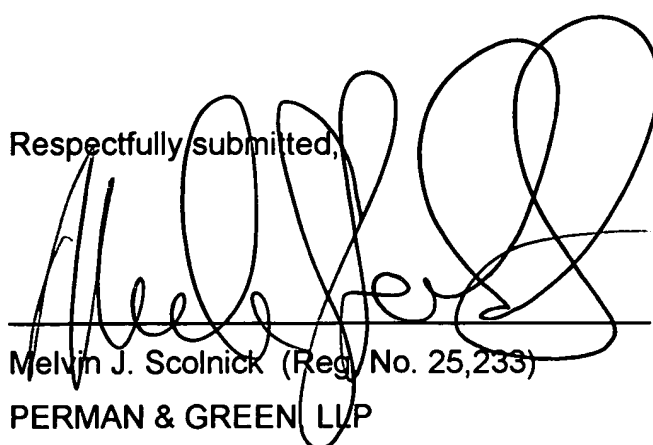
For more than one year prior to the filing of this Application, the Assignee of the present invention sold mobile phones with covers that could be changed with the aid of a tool. See, for example, the Nokia 2110 phone referenced in the IDS filed on December 11, 2000. Annexed hereto as Exhibit 1 is a description of the process that would be required to change the cover on the Nokia 2110 mobile phone. Those phones did not include the keypad arrangement of this invention.

Embodiments of this invention in contrast to the mobile phone prior art allow the external appearance of a mobile phone to be modified rapidly and easily by a user who is a non-professional. The changeable covers of embodiments of this invention comprise an accessory for a mobile phone which can be sold by a wide variety of stores, which do not need to employ trained professionals to change from one cover to another. A user of covers in accordance with embodiments of this invention can have a series of covers which can be easily changed by the user to change the appearance of the mobile phone to match the user's current style. The prior art of record does not teach or suggest the replaceable covers of this invention for modifying the appearance of a hand held communications device, such as a mobile phone, which can be swapped rapidly and easily by a user.

Applicant hereby petitions for a two months extension of time in which to file this Response. A check in the amount of \$390.00 is enclosed to cover this amount. Please charge our deposit account 16-1350 any additional fees necessitated by the Response, including any needed extension of time.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issue remain, the Examiner is invited to call Applicant's Attorney at the telephone number indicated below.

Respectfully submitted,


Melvin J. Scolnick (Reg. No. 25,233)

6/4/07
Date

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail on the date shown below in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231.

6/4/07
Date


Name of Person Making Deposit

EXHIBIT 1

[INSERT EXHIBIT 1 FROM 200-7051 SUPPLEMENTAL AMENDMENT]

Appendix

Application No.: 09/125,700

Marked Up Claim(s)

12. (Amended) An electronic radiotelephone as claimed in claim ~~10~~1 wherein the key unit is a key mat. |

EXHIBIT 1

The front cover of the Nokia Model 2110 Mobile Telephone is held in place by 6 special screws and a removable antenna. The process that would be required for replacing covers will be illustrated by reference to the following attached figures.

Fig. 1 - Front of Nokia 2110

Fig. 2 - Side view of 2110 with battery and front cover in place

Fig. 3 - Rear view of the 2110 with battery removed

Fig. 4 - Rear view of the 2110 with the battery removed and rear body portion removed.

Fig. 5 - Rear view of the 2110 with the battery, rear body portion and antenna removed.

Fig. 6 - Rear view of the 2110 with the battery, rear body portion, antenna and electronic components removed.

The procedure that would be required for replacing the cover involved.

Refer to Figs. 1 and 2:

1. Removing the battery to expose 2 screws which hold the rear body portion in place and 4 screws which pass through the electronic circuit board and screw into the front cover holding it securely in place. The screws require a specialist tool, namely, a T6 Torx driver to remove them.

Refer to Fig. 3:

2. Remove the 2 screws which fasten the rear body to the phone and the 4 screws which fasten the front cover to the phone. Remove the rear body to

expose 2 additional screws which are not exposed when the battery is removed. The screws require a specialist tool, namely, a T6 Torx driver to remove them. The 2 additional screws pass through the circuit board and screw into the front cover holding it securely in place.

Refer to Fig.4.

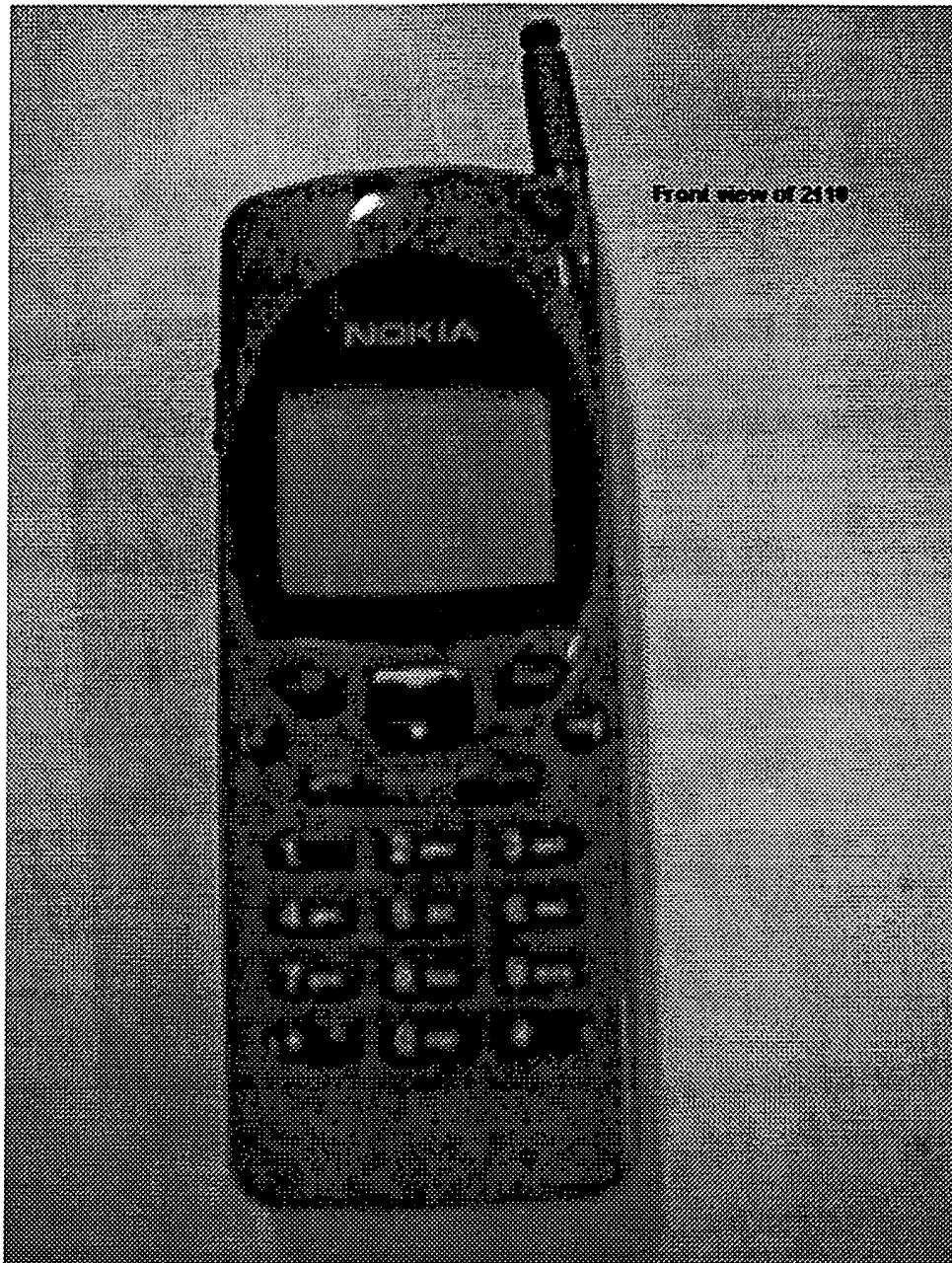
3. Remove the additional two screws. Thus far the 6 screws which pass through the circuit board into the front cover have been removed. However, the front cover and electronic components are still attached by the antenna.

4. Unscrew the antenna in a counter clockwise direction and remove it. The electronic components are no longer securely attached to the cover, which can therefore be replaced.

Refer to Fig. 5.

5. Remove the electronic components by pulling the circuit board away from the front cover.

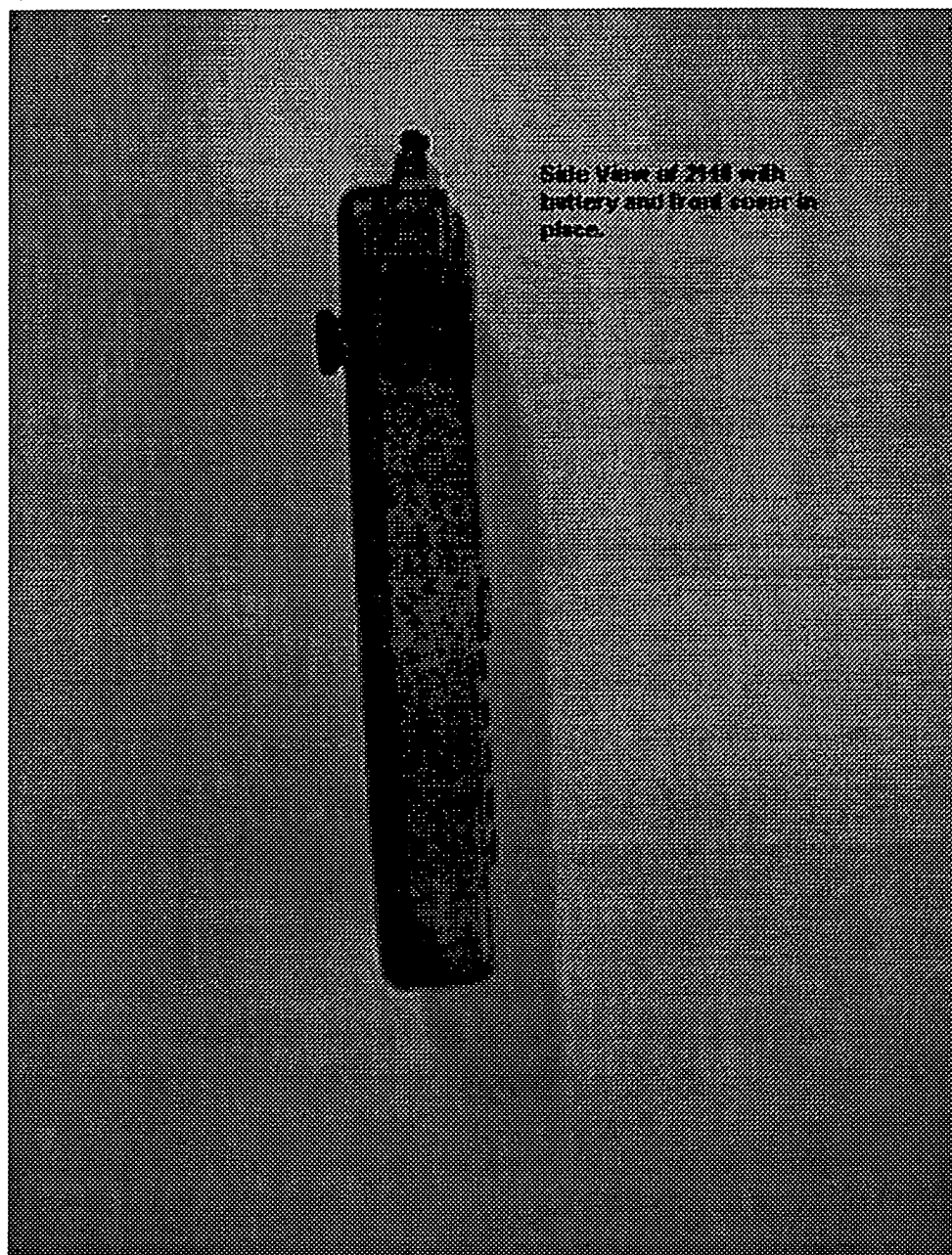
Refer to Fig. 6.



Front view of 2110

Fig. 1

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Side View of 2148 with
battery and front cover in
place.

Fig. 2

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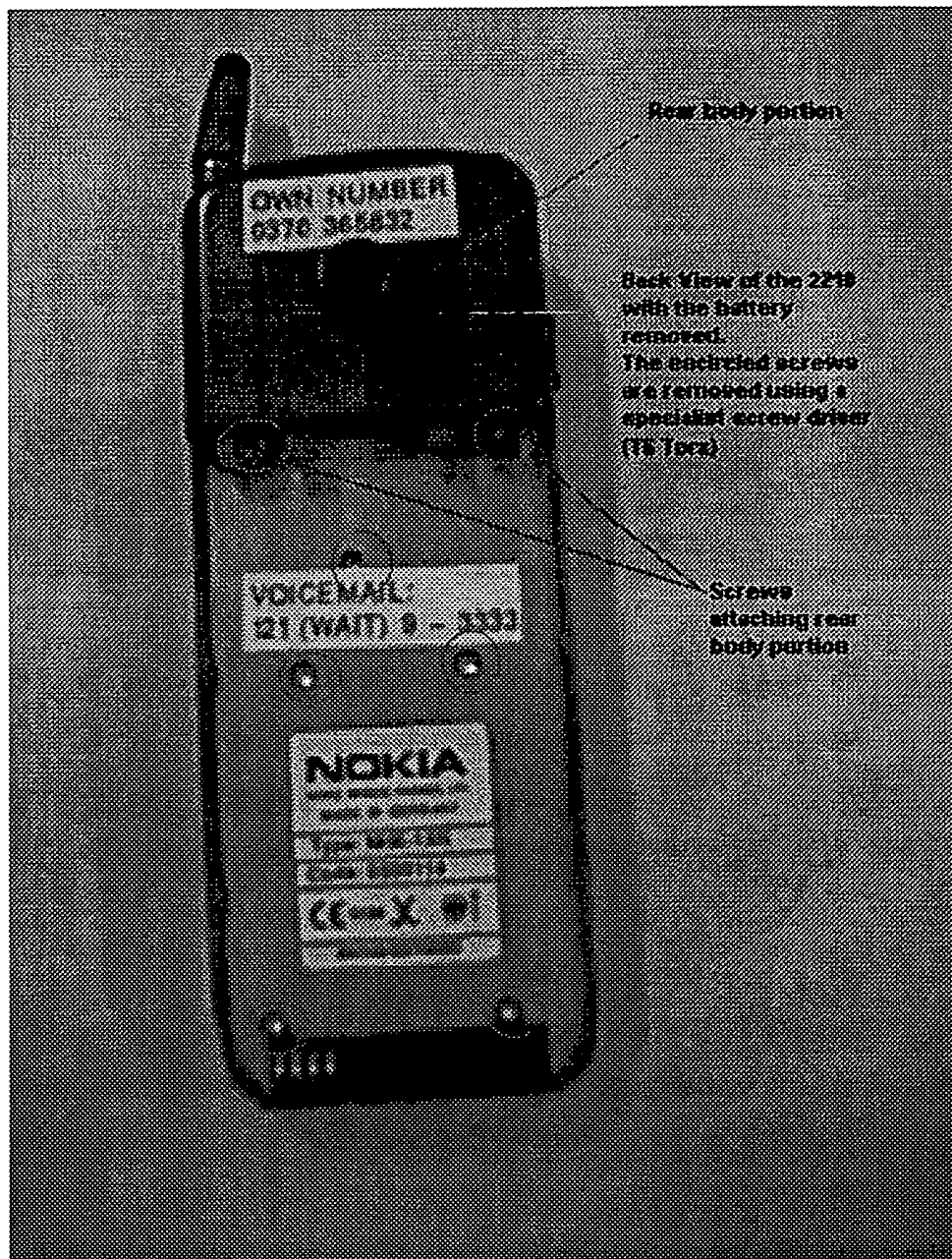
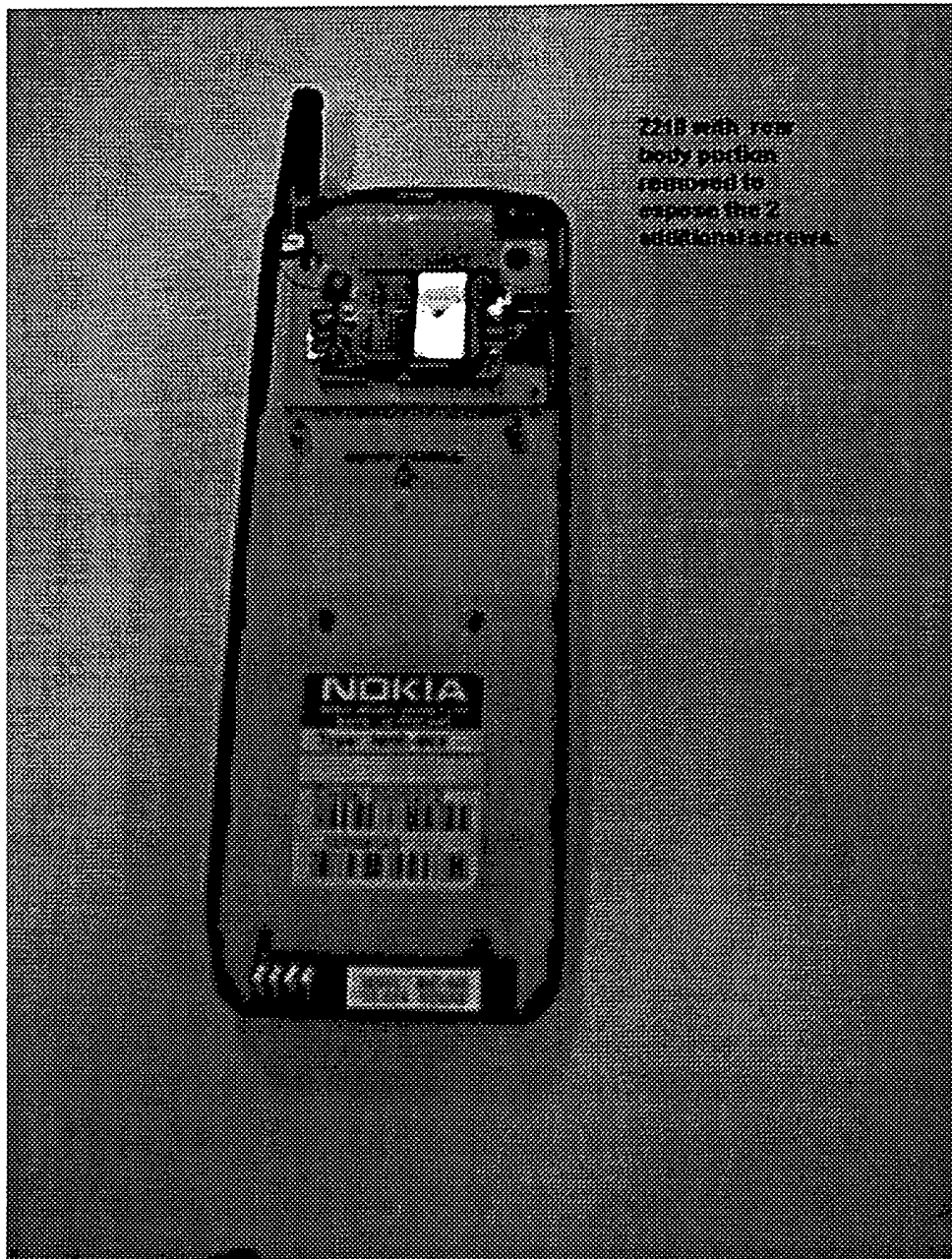


Fig. 3

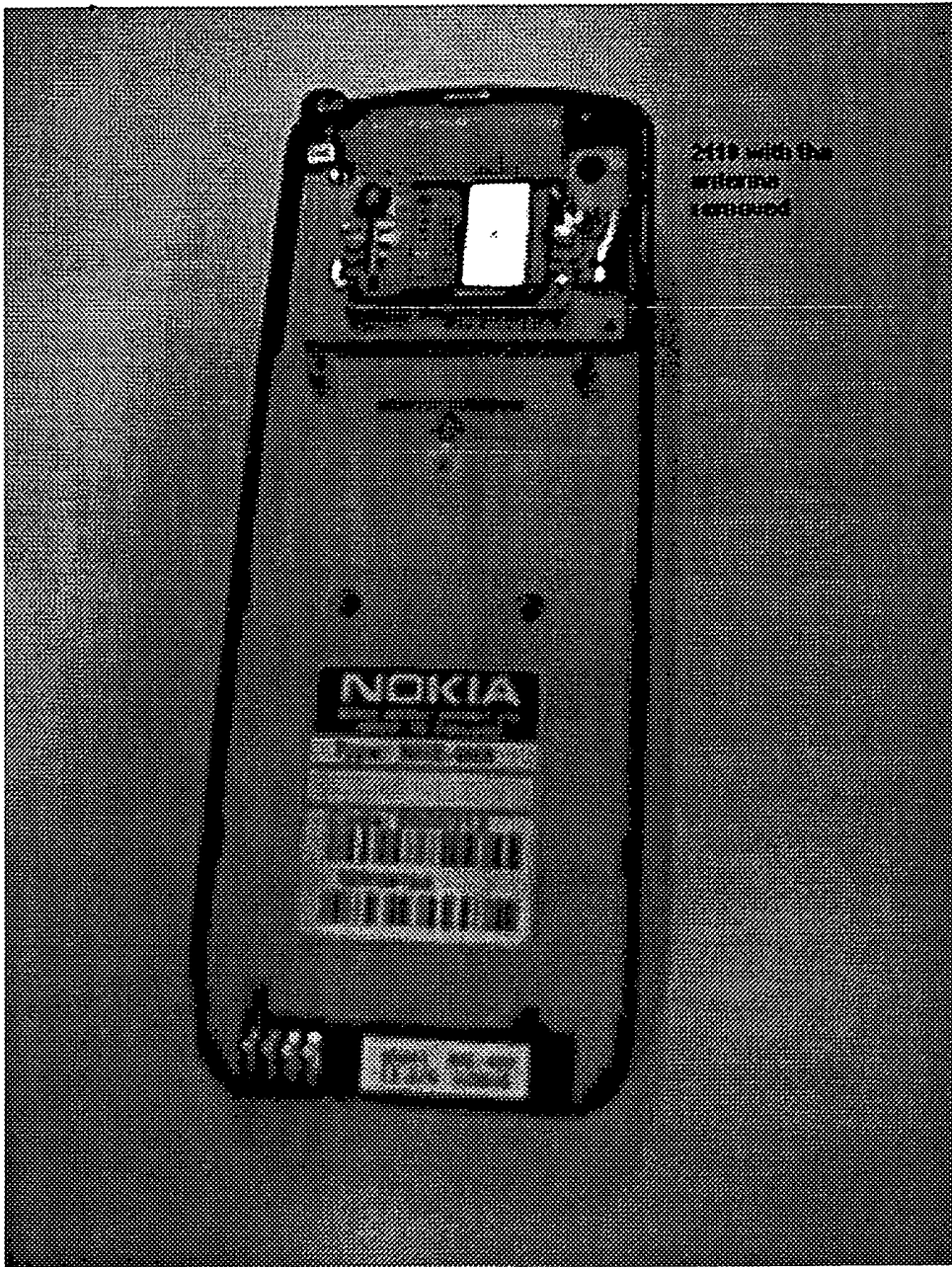
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2210 with rear
body portion
removed to
expose the 2
additional screws.

Fig. 4

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2410 with the
antenna
removed

Fig. 5

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hole through
which antenna is
attached

The circles
indicate the 6
locations into
which the 6
screws which
pass through
the circuit
board to hold
the cover in
place are
screwed.

Fig. 6

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